

# LAWS OF ARIZONA.

## OF OFFICIAL OATHS AND BONDS.

Be it enacted by the Legislative Assembly of the Territory of Arizona.

SECTION 1. The official oaths of all Territorial and county officers required by law to be taken by them, and the official bonds so required to be given by them shall be deposited and filed in the several offices hereinafter named, that is to say: The official oath and bond of the Territorial Treasurer, and Attorney General, in the office of the Secretary of the Territory. The official oath and bond of the Judge of Probate, County Recorder, Sheriff, Notaries Public, Justices of the Peace, and Constables, in the office of the Clerk of the District Court of the proper county. The official oath and bond of the County Treasurer and Clerk of the District Court in the office of the County Recorder.

§ 2. A certified copy of any such oath or bond made by the officer in whose office the same is required by the provisions of this chapter to be deposited and filed, shall be prima facie evidence of the contents thereof in all courts and places within this Territory.

§ 3. The officer in whose office any such oath or bond is required to be deposited, shall file the same with the date thereon when the same was deposited, and shall carefully keep and preserve the same in his office, and not allow it to be taken therefrom except by lawful authority; he shall also, in a book to be kept for that purpose, note the time when such oath or bond was received and filed by him, with the name of the principal and sureties in each bond.

§ 4. The following form of oath, to be taken by any officer elected or appointed in this Territory, shall be deemed to be a sufficient oath of office, when taken and subscribed by such officer, except when some other form of oath shall be specially provided by law, that is to say:—

Territory of Arizona. )  
County of )  
I, do solemnly swear that I will support the Constitution of the United States and the laws of this Territory; that I will true faith and allegiance bear to the same, and defend them against all enemies whatsoever, and that I will faithfully and impartially discharge the duties of the office of (name of office), according to the best of my abilities—No help me God.

§ 5. Any person not an officer, especially appointed by law to discharge any specific duty, or any duty in a fiduciary or other capacity, and from whom an oath for the discharge of such duty is required by law, may take the form of oath prescribed in the preceding section, when not otherwise provided.

§ 6. It shall be the duty of the Attorney General, or other officer prosecuting in behalf of the Territory, to prosecute all official bonds for any breach thereof; or the same may be ordered prosecuted by any court, officer or board authorized by law, or officially representing an interest in such bond; such bond may be prosecuted in the name of the "Territory of Arizona," and when any private person is interested in any such bond he may prosecute the same in such name for his use and benefit, and at his own proper cost and expense.

§ 4. This act shall take effect and be in force from and after the 1st day of January next, A. D. 1865.

W. CLAUDE JONES,  
Speaker of the House of Representatives.  
COLES BASHFORD,  
President of the Council.  
Approved November 9th, 1864.  
JOHN N. GOODWIN,  
A true copy of the original on file in my office.  
RICHARD C. McCORMICK,  
Secretary of the Territory.

## OF OFFICES AND OFFICERS.

Be it enacted by the Legislative Assembly of the Territory of Arizona.

SECTION 1. There shall be one Territorial Treasurer, one Attorney General for the Territory, and one Superintendent of Public Instruction, whose several duties shall be prescribed by law, and their compensation fixed by the Legislature.

§ 2. The Territorial Treasurer and Attorney General shall be nominated by the Governor and appointed by and with the advice and consent of the Legislative Council, and shall each hold his office for the term of two years.

§ 3. That at any time after the first day of January one thousand eight hundred and sixty-six, the Governor of this Territory shall be, and he hereby is authorized to appoint, if he believes the public interest requires it, a Superintendent of Public Instruction, whose duties and compensation shall be prescribed by law.

§ 4. In each county there shall be elected at the General Election next to be holden, and at each General Election, every two years thereafter, one county treasurer, one sheriff, one county recorder, and one coroner, who shall severally hold their offices for the term of two years, and shall give such security, discharge such duties, and receive such compensation as shall be fixed by law.

§ 5. There shall be appointed for each county, by the Governor, by and with the advice and consent of the Legislative Council, one Judge of Probate, who shall hold his office for four years, and receive such annual salary or fee as the Legislature shall fix by law. His jurisdiction and duties shall be prescribed by law.

§ 6. The term of all officers shall expire on the last day of November in the year in which such office terminates, and all officers elected or appointed for a full term shall commence their duties on the first day of December, next after the terms of their predecessors shall have expired; and all officers elected or appointed to fill any vacancy, shall hold such office only until the expiration of the regular term which the person whose vacancy is so filled would have held the same.

§ 7. All officers elected or appointed (except members of the Legislature) for a full term, shall take and file the oath of office, and give the bonds required by law, before entering on the duties of their office; and may take such oath and give such bonds at any time within twenty days before the commencement of their term of office respectively; all persons appointed to fill a vacancy shall take such oath and give such bonds within ten days after receiving notice of their appointment.

§ 8. Nothing in this chapter contained shall be construed to affect the provisions of Section two of chapter sixty, of this code, entitled, "Of Miscellaneous Provisions," so far as regards officers already appointed, or to be appointed under the provisions of said Section two.

§ 9. This act shall take effect and be in force from and after the first day of January, A. D. 1865.

W. CLAUDE JONES,  
Speaker of the House of Representatives.  
COLES BASHFORD,  
President of the Council.  
Approved November 9, 1864.  
JOHN N. GOODWIN,  
A true copy of the original on file in my office.  
RICHARD C. McCORMICK,  
Secretary of the Territory.

## AN ACT TO INCORPORATE THE ARIZONA HISTORICAL SOCIETY.

Be it enacted by the Legislative Assembly of the Territory of Arizona.

SECTION 1. That Richard C. McCormick, W. Claude Jones, Allen L. Anderson, Gilbert W. Hopkins, King S. Woolsey, Henry A. Bigelow, A. M. White, Charles A. Curtis, James S. Giles, James Garvin, Richard Gird, T. J. Bidwell, Edward D. Tuttle, William Walter, and Samuel Todd, and all persons who are now or may hereafter become associated with them as members of said association be and they are hereby made a body politic and corporate in law and in fact, by the name, style and title of the Arizona Historical Society, and by this name shall have perpetual succession, and sue and be sued, plead and be impleaded, in any court of law or equity; to hold and reserve to them and their successors, either by grant, bargain, sale, will, decree, or otherwise, any lands, tenements, hereditaments or any personal or real estate, and at their pleasure to grant, bargain or sell for the use of said association, and generally to do all and singular the things which it may be lawful for them to do for the welfare of said association.

§ 2. That the object of said society shall be the collection and preservation under their own care and direction all historical facts, manuscripts, documents, records and memoirs, relating to the history of this Territory, geological and mineralogical specimens, geographical maps and information, Indian curiosities and antiquities, and objects of natural history.

§ 3. That it shall be lawful for the Arizona Historical Society to provide itself with a seal, the device of which the same shall determine, and at its pleasure may alter, change or renew as it may think proper, and have and exercise all the rights and privileges necessary for the corporation hereby constituted, and as herein specified.

§ 4. That said society shall have power to form a constitution and adopt by-laws for its own government: Provided, they do not conflict with the second section of this act, or the constitution and laws of the United States or of this Territory.

§ 2. This act shall take effect and be in force from and after its passage.

W. CLAUDE JONES,  
Speaker of the House of Representatives.  
COLES BASHFORD,  
President of the Council.  
Approved November 7, 1864.  
JOHN N. GOODWIN,  
A true copy of the original on file in my office.  
RICHARD C. McCORMICK,  
Secretary of the Territory.

## AN ACT AMENDATORY TO AN ACT ENTITLED OF FEES OF OFFICERS.

Be it enacted by the Legislative Assembly of the Territory of Arizona.

SECTION 1. That the fees of Probate Clerks, Sheriffs and Constables, established and regulated in the chapter entitled "Of fees of officers," take effect and be in force from and after the passage of this act.

W. CLAUDE JONES,  
Speaker of the House of Representatives.  
COLES BASHFORD,  
President of the Council.  
Approved November 9th, 1864.  
JOHN N. GOODWIN,  
A true copy of the original on file in my office.  
RICHARD C. McCORMICK,  
Secretary of the Territory.

## AN ACT RELATING TO THE PUBLICATION OF LEGAL NOTICES.

Be it enacted by the Legislative Assembly of the Territory of Arizona.

SECTION 1. That whenever by the laws now existing in this Territory it is provided that a notice, order or other paper shall be published in a newspaper a certain number of weeks consecutively, or whenever in pursuance of such law any court of this Territory has granted an order that the same, or a notice of the contents thereof, be published for a certain number of weeks consecutively in a newspaper, it shall be deemed a full compliance with such law or order to publish such order, notice or other paper in a newspaper in said Territory for the number of insertions mentioned in such order, notice or paper, although such publication shall not be as often as once a week.

§ 2. This act shall take effect and be in force from and after its passage.

W. CLAUDE JONES,  
Speaker of the House of Representatives.  
COLES BASHFORD,  
President of the Council.  
Approved November 9, 1864.  
JOHN N. GOODWIN,  
A true copy of the original on file in my office.  
RICHARD C. McCORMICK,  
Secretary of the Territory.

## Legal Notice.

District Court, First Judicial District, )  
Arizona Territory. )

Charles T. Hayden, )  
vs. ) May Term, A. D. 1864.  
Grandville H. Oury. )

It appearing to the court by the return of the Sheriff of said District that he has attached the property, and effects of said defendant, that defendant has not been served with the writ of attachment issued in this case, and after diligent search and inquiry cannot be found in said District and Territory, and it appearing by the affidavit of Coles Bashford, the Attorney for the plaintiff, that the defendant has not appeared, and answered to the said action. On motion of Coles Bashford, Attorney for the plaintiff, it is ordered that this order be published for four weeks successively in the ARIZONA MINER, a newspaper printed in said territory, the publication to be at least two weeks previous to the next term of this court, as a notice to said defendant that his property has been attached, that the plaintiff's demand amounts to the sum of one hundred and thirty-six dollars and eighty eight cents, together with interest thereon from the eleventh day of February, A. D. 1861, at the rate of six per cent per annum, upon a draft accepted by him, and that unless the defendant appears at the next term of said court, judgment will be rendered against him and his property sold to satisfy the same.

A true copy of the record in my office,  
J. RICHMOND, Clerk of  
District Court 1st Judicial District.  
COLES BASHFORD, Atty. for Plff. 1746

## Legal Notice.

District Court, First Judicial District, )  
Arizona Territory. )

John B. Allen, )  
vs. ) May Term, A. D. 1864.  
A. Anesworth. )

It appearing to the court by the return of the Sheriff of said district, that after diligent search and inquiry, he has been unable to find the said defendant, A. Anesworth, within said Territory to serve the process and petition in this case on him, and that said defendant is a non-resident of said Territory; and it further appearing by the affidavit of Coles Bashford, the attorney for the plaintiff, that said defendant has not appeared in said suit. On motion of Coles Bashford, attorney for said plaintiff, it is ordered that this order be published in the Arizona Miner, four weeks successively, as a notice to said defendant that this suit is brought to set aside a conveyance of real estate, made by said plaintiff to said defendant, situated in the town of Tucson, in said Territory, on the ground the same was obtained by fraud; and that unless he appears by the first day of the next term of said court, the plaintiff will take judgment against him by default, and will apply to the court for the relief demanded in the petition on file in this case.

A true copy of the record in my office  
J. RICHMOND, Clerk of  
District Court, 1st Judicial District.  
COLES BASHFORD, Atty for Plff. 16

## Legal Notice.

District Court, First Judicial District, )  
Arizona Territory. )

Theodore Mohrman, )  
vs. )  
Palantine Robinson. )  
To the above named Defendant:

You will please take notice that the above named plaintiff has sued out of said court a writ of attachment against you, for the sum of two hundred and thirty-three dollars, upon an account for an ambulance heretofore sold and delivered to you; and that by virtue of said writ of attachment the Sheriff of said District has attached your property, and that unless you appear at the next term of said court, judgment will be rendered against you, and your property sold to satisfy the same.

Dated, August, A. D. 1864.  
COLES BASHFORD, Atty for Plff.

## Legal Notice.

District Court, First Judicial District, )  
Arizona Territory. )

Charles T. Hayden, )  
vs. ) May Term, A. D. 1864.  
Solon H. Lathrop, )  
Richard W. H. Jarvis, )  
George W. Pierce, )  
John W. Swilling, )  
and James Lee. )

It appearing to the court by the return of the Sheriff, in this case, that the defendants Solon H. Lathrop, and Richard W. H. Jarvis, cannot after diligent inquiry be found in said territory, and that they are both non-residents of said territory, and it also appearing by the affidavit of Coles Bashford, the Attorney for the plaintiff, that said Lathrop and Jarvis, have not appeared in said action. On motion of Coles Bashford, Attorney for the plaintiff it is ordered, that this order be published for four weeks successively in the ARIZONA MINER, a newspaper printed in said territory, as a notice to said Lathrop and Jarvis, that this suit is to foreclose a Mortgage, and reach Mortgaged property, that said Mortgage was executed by said Lathrop and Jarvis to Richard M. Doss on the "Tubac Mill" in said territory, in the month of August A. D. 1860, and that unless they appear by the first day of the next term of said court judgment will be taken against them, and the plaintiff will apply to the court for the relief demanded in the complaint.

A true copy of the record in my office,  
J. RICHMOND, Clerk of  
District Court, 1st Judicial District.  
COLES BASHFORD, Atty. for Plff. 1746

## Legal Notice.

District Court, First Judicial District, )  
Arizona Territory. )

Charles T. Hayden, )  
vs. ) May Term, A. D. 1864.  
William S. Grant. )

It appearing to the court by the return of the Sheriff of said District, that he has attached the property and effects of said defendant; that defendant has not been served with the writ of attachment issued in this case, and that after diligent search and inquiry cannot be found in said District and Territory, and it appearing by the affidavit of Coles Bashford, the attorney for the plaintiff, that the defendant has not appeared and answered to the said action. On motion of Coles Bashford, attorney for the plaintiff, it is ordered that this order be published for four weeks successively in the Arizona Miner, a newspaper published in said Territory, the last publication to be at least two weeks previous to the next term of this court, as a notice to said defendant that his property has been attached; that the plaintiff's demands amount to the sum of nine hundred and eleven dollars and thirty-three cents, which indebtedness accrued upon two drafts drawn by said defendant, payable to said plaintiff, upon Pierce & Bacon, who refused to accept or pay the same; and that unless defendant appears at the next term of said court, judgment will be rendered against him, and his property sold to satisfy the same.

A true copy of the record in my office  
J. RICHMOND, Clerk of  
District Court, 1st Judicial District.  
COLES BASHFORD, Atty for Plff. 16

## Legal Notice.

District Court, First Judicial District, )  
Arizona Territory. )

Mark Aldrich, )  
vs. ) May Term, A. D. 1864.  
Alfred Frear. )

It appearing to the court by the return of the Sheriff of said District that he has attached the property and effects of said defendant. That defendant has not been served with the writ of attachment issued in this case, and after diligent search and inquiry cannot be found in said District and Territory; and it appearing by the affidavit of Coles Bashford, the attorney for the plaintiff, that the defendant has not appeared and answered to the said action. On motion of Coles Bashford, attorney for the plaintiff, it is ordered that this order be published for four weeks successively in the Arizona Miner, a newspaper printed in said Territory, the last publication to be at least two weeks previous to the next term of this court, as a notice to said defendant that his property has been attached, that the plaintiff's demand amounts to the sum of one hundred and fifty-nine dollars and ninety-five cents, for goods sold and delivered, and money had and received; and that unless defendant appears at the next term of said court, judgment will be rendered against him and his property sold to satisfy the same.

A true copy of the record in my office  
J. RICHMOND, Clerk of  
District Court, 1st Judicial District.  
COLES BASHFORD, Atty for Plff. 16

## QUARTZ MOUNTAIN MILL.

THE Quartz Mountain Mill is now in complete running order, and the proprietors are prepared to furnish all kinds of lumber, in any quantity, and at reasonable rates. We will deliver lumber at Prescott, or vicinity.

A. O. NOYES,  
GEORGE LOUNT.  
Prescott, Nov. 22, 1864. 16